IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 2014 of 2005

Between:

1 Sujayathmulk Ramesh Rao, S/o.Kalesha,
D.No.5-7/8-132, KL Rao Nagar, Vijayawada-8.
2 Sujaitmulk Siva Nagendra Prasad (Gopi) S/o.Rajendra Rao,
D.No.17-2-6, Gurrala St., Purnandampet, Vijayawada.

..... PETITIONERS

AND

1 A.Abdul Hafeez (M.Abdul Hafeez), S/o.Ghani, Muslim,
Madhiravari Veedhi, D.No.8-16-10, Wynchipet, Vijayawada-1.
2 Shaik Jani Basha, S/o.Hussain Ahmed,
D.No.1-1-227, Ravichettu Centre, Vidyadharapuram, Vijayawada.
3 The Principal Senior Civil Judge, Vijayawada.
4 Shaik Mohiddin, S/o.Shaik Ismail
5 Md.Abdul Ameer Jani, S/o.Raheem Dada
6 Harimanikyam Samba Siva Rao, S/o.Ramachandra Rao,
7 Pakeerabad Manilal, S/o.Lakshamaji Rao,
8 Harimanikyam Rajesh, S/o.Rama Rao.
Respondents 4 to 8 are not necessary parties to this writ petition.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or an order more particularly one in the nature of writ of certiorari calling for the Records relating to the orders passed in IA Nos.128/2005 and 3108/2004, dt.01/02/2005 passed by the 3rd Respondent and to quash the said orders to the extent of appointing the Respondents 1 and 2 as Trustees to the "Bakhar Khasab Peerla Punja Wakf" and consequentially to appoint the petitioners 1 and 2 as

Trustees to the said Trust in the place of the Respondents 1 and 2 and to pass such other relief or reliefs as this Hon'ble court may deem fit and proper in the circumstance of the case.

Counsel for the Petitioners: MR.AMBADIPUDI SATYANARAYANA

Counsel for the Respondent No.: SMT.M.BHASKARA LAKSHMI (SC FOR APHC)

The Court made the following :

ORDER:

The petitioners intend to challenge the order dated 1-2-2005 passed by the Court of Principal Senior Civil Judge, Vijayawada in I.A.No. 128 of 2005 in O.S.No. 51 of 1960. The order was passed in a scheme suit. When it was pointed to the learned counsel for the petitioner that the order needs to be challenged in a Civil Revision Petition, he sought permission of this Court to withdraw the writ petition reserving liberty for the petitioners to file a civil revision petition.

Hence, the writ petition is dismissed as withdrawn leaving it open to the petitioners to file a civil revision petition. No costs.

Office is directed to return the original impugned order to the petitioner forthwith.

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L. NARASIMHA REDDY, J

Dt. 10/02/2005

Kvrk

To

1. The Principal Senior Civil Judge, Vijayawada.
2. Two CD copies.